

REMARKS

Pending Claims

Claims 1-31 and 33-46 are pending. Claim 32 has been canceled. Claims 1, 9, 10, 21, 33, 34, 36, 37, and 40 are amended by this paper. Applicant respectfully requests entry of the above amendments and consideration of the following remarks.

Telephone Interview Summary

On August 22, 2007, Applicant's representative, Thomas Keating, conducted a telephone interview of the case with Examiner Charles Greenhut. Examiner Greenhut and Applicant's representative discussed the claims in light of the art-based rejections. No agreement was reached on claim language during the call. Applicant's representative gratefully acknowledges the Examiner's granting of and participation in the telephone interview.

Rejections under 35 U.S.C. §103

The Examiner has rejected claims 1-8, 12-15, 20-24, 32, and 36-39 as obvious under Cohn et al. (USP 6,010,298) in view of Lewis et al. (USP 6,602,041). However, in light of the amendments and arguments presented herein, Applicant respectfully submits that the rejections are rendered moot and requests that the rejections be reconsidered and withdrawn.

Claim 1 as amended recites a retractable ramp system comprising, among other elements, a manual control assembly which itself comprises a control cable, wherein operation of the control cable moves the ramp carriage assembly. This control cable is used to deploy the ramp manually, for example in the event of a power failure. In particular, the use of a manual deployment system allows an occupant of the vehicle to deploy the ramp manually from within the vehicle itself.

In contrast, to the extent the ramps disclosed in either Cohn or Lewis can be operated manually, this must be performed by lifting the ramp itself and moving it to the deployed position, generally by someone who is outside the vehicle already. The combination of Cohn and Lewis fails to teach or suggest using a cable to manually deploy a retractable ramp.

Since language from claim 9 has been incorporated into claim 1, it is important to address the relevant portions of the Examiner's rejection of the former claim 9 in detail. In the Office action of February 27, 2007, the Examiner rejected claim 9 in view of the combination of Cohn,

Lewis, and Holocek (USP 3,983,584). The Examiner argued that the combination of references teaches the elements of former claim 9 for a manual control assembly. However, the bearing block (116) of Cohn is in fact a fixed structure at the distal edge of the ramp that prevents the ramp from rattling when in the stowed position. In contrast, the claimed manual control bearing block translates along the ramp carriage assembly as part of the system for manual deployment of the ramp. Further, the cited cable (184) of Cohn is not in communication with a manual control bearing block and, more importantly, is not for manual deployment of the ramp. Instead, the cited cable (184) of Cohn is for releasing the ramp platform from the motor to permit manual retraction of the ramp (col. 13, lines 1-55), again requiring someone to lift the ramp by hand and push it into the stowed position. Finally, the crank of Holocek is not coupled to a manual control cable and, furthermore, Holocek does not teach a ramp that can be manually deployed. Thus, the combined teachings of the cited references fail to teach or suggest all of the elements of claim 1, in particular a manual control cable for manually deploying the ramp.

For similar reasons, claim 21 is allowable over the cited art. Elements of former claim 33 have been incorporated into claim 21 to claim a method of operating a retractable ramp system that includes providing a control cable in communication with the ramp carriage assembly and manually deploying the ramp system using the control cable. The Examiner rejected claim 33 as obvious in view of the combination of Cohn, Lewis, and Holocek. However, as discussed above, this combination of references does not teach or suggest manually deploying a ramp using a control cable.

The Examiner has rejected claims 16-19 and 40-44 as obvious under Cohn et al. (USP 6,010,298) in view of Lewis et al. (USP 6,602,041) and further in view of Grant (USP 5,257,894). However, in view of the arguments presented herein, Applicant respectfully requests that the rejections be reconsidered and withdrawn. In particular, the modifications to the references that would be necessary to meet the claim limitations would render the prior art devices unsatisfactory for their intended purpose. ("If proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification." MPEP 2143.01(V) (citation omitted)).

In combining the references to meet the limitations of these claims, one skilled in the art would have to modify Grant by removing the locking brackets 66 (see Fig. 4 of Grant). This is necessary because otherwise the presence of the locking brackets 66 protruding from the end of

the floating lock plate 60 would prevent the wheels from dropping into a cutout on the ramp 20. However, this modification would render the device of Grant unsatisfactory for its intended purpose of locking the ramp in the stowed or deployed position (see, e.g., Abstract of Grant). That is, the purpose of the claimed feature of the wheels dropping into a cutout in the ramp or rotating the ramp flap up into a horizontal position using force from the wheels is to allow the ramp to move in a manner that is unrestricted by the transitional flap, which permits remote control of the ramp. In contrast, the purpose of the transitional flap (i.e. the floating lock plate 60) of Grant is to lock the ramp in the stowed or deployed position; changing the position of the ramp requires someone to first manually lift the floating lock plate 60 to unlock the ramp, which is incompatible with remote actuation of the ramp. Modifying the device of Grant by removing the locking brackets 66, which would be necessary to meet the limitations of the claims, would render the device of Grant unsatisfactory for its intended purpose.

The remaining claims are allowable for at least the reason that they depend from an allowable claim.

CONCLUSION

In view of the foregoing, allowance of the claims is respectfully requested. The undersigned is available for telephone consultation during normal business hours.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas J. Keating", with a stylized, looped ending.

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